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Filing date: **03/02/2021**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|---|
| Proceeding | 92025859 |
| Party | Defendant General Cigar Co., Inc. |
| Correspondence Address | ANDREW DEUTSCH DLA PIPER LLP US 2000 AVENUE OF THE STARS SUITE 400 LOS ANGELES, DE 90067 UNITED STATES Primary Email: Andrew.Deutsch@dlapiper.com Secondary Email(s): David.Huff@dlapiper.com, mkrinsky@rbskl.com, joshua.schwartzman@us.dlapiper.com, john.nading@us.dlapiper.com 212.335.4880 |
| Submission | Defendant's Notice of Taking Testimony |
| Filer's Name | Andrew L. Deutsch |
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| Signature | /Andrew L. Deutsch/ |
| Date | 03/02/2021 |
| Attachments | SUSAN BAILEY - Notice of Cross Exam.pdf(6561 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 1147309
For the mark COHIBA
Date registered: February 17, 1981

AND

In the matter of the Trademark Registration No. 1898273
For the mark COHIBA
Date registered: June 6, 1995

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|-----------------------------------|---|---------------------------|
| ----- | X | |
| EMPRESA CUBANA DEL TABACO, d.b.a. | : | |
| CUBATABACO, | : | |
| | : | |
| Petitioner, | : | |
| | : | Cancellation No. 92025859 |
| v. | : | |
| GENERAL CIGAR CO., INC. | : | |
| Respondent. | : | |
| | : | |
| | : | |
| | : | |
| | : | |
| ----- | X | |

NOTICE OF ELECTION TO ORALLY CROSS-EXAMINE MS. SUSAN BAILEY

TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE THAT pursuant to TBMP 703.01(e) and 37 C.F.R. § 2.123(a)(1), Respondent, General Cigar Company, Inc. (“General Cigar”), by and through its undersigned counsel, hereby provides notice of election to orally cross-examine Ms. Susan Bailey via video conferencing on a date and time to be determined by mutual agreement between the parties on or before April 2, 2021 as provided by the Board’s current schedule. The cross-examination will be taken before an officer authorized by law to administer oaths and recorded using audiotape and/or stenographic means.

Dated: March 2, 2021
Los Angeles, California

Respectfully submitted,

By: /s/ Andrew L. Deutsch

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Attorneys for General Cigar Co., Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this date I have caused to be served a true and correct copy of the foregoing: NOTICE OF ELECTION TO ORALLY CROSS-EXAMINE MS. SUSAN BAILEY by transmitting copies by electronic mail dated March 2, 2021, to Petitioner's counsel:

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Date: March 2, 2021

/s/ Joshua Schwartzman